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BOOK REVIEWS.

LE DROIT INDIVIDUEL ET L'ÉTAT. Introduction à l'Étude du Droit
par CH. BEUDANT, Professeur à la Faculté de Droit de Paris.
Deuxième Édition. Pp. 290. Paris, A. Rousseau, 1891.

"The eternal question of the principle of right," of "natural right," is the author's theme. Ages ago intuitions of an "absolute and universal justice," superior to laws and states, were felt by the few. At length the revolution of 1789 and the declaration of the rights of man (1791) placed this "principle of right" not in the law nor in the state, but "in man himself;" elevated "the notion of individual right to a principle of universal right." This was the idea of Montesquieu (p. 123), Locke (106), Grotius (94), Bodin (91); it was the idea which Christianity threw upon the world eighteen centuries before (66). The philosophers, a few chosen spirits, had recognized this idea; but neither man nor the state, his master, had followed it. The Greeks had not, the Roman public law had not; the early Church (71) did not. It was the eighteenth century (77) which definitively recognized the notion of individual right.

But the political work of the French Revolution passed away—and the ideas of the times? "The inclination is to make the action of the state predominate anew over the initiative of the individual and even over the rights of the individual." This, then, is the position taken by the author. Standing at the point attained by the declaration of human rights, he projects the "general formulas" of successive systems of philosophy upon a convenient background. Kant and the revolutionists (140); Rousseau, Hobbes, and Bentham (156, 175), and other odd companions touch or overlap one another in their asserting or denying, respectively, individual rights.

Forty pages are occupied with definitions and general

notions : twenty with the ancient idea of right, in Greece and Rome ; nearly one hundred are devoted to the liberal school, its origin, its development and its definitive formula ; finally, a hundred more are given up to the *Contrat Social*, the utilitarian and the historical school and sociology.

Theories of the relation of individual right to the state, selected from systems of philosophy from the time of Socrates to the later sociologists, stated so as to show who leaned toward individual rights, and who sacrificed them, but without much regard paid to whether this feature was important or secondary in the philosopher's system—this is the main content of the book. Whoever wants to get such a synoptic view of philosophical systems as this, will get it in this little volume with only the trouble of reading a well-written book.

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LA LEGGE E LA LIBERTÀ NELLO STATO MODERNO. By ATTILIO BRUNIALTI. 2 vols. Pp. 310, 238. Turin, 1888-1890.

The author of these volumes is one of the recognized leaders of liberal political thought of Italy. His career has been a varied one ; for he has been librarian, journalist, historian, geographer, jurist, professor, and member of the lower house of the Italian Parliament. He has made a special study of the institutions of Switzerland, and evidently admires to the full the free government of England. One of his earliest works bore the title of "Liberty and Democracy," showing the youthful bent of his mind, which riper years and profounder knowledge have only served to strengthen.

Although Signor Brunialti's title would lead us to expect no mention of antiquity, he uses very freely his knowledge of Athenian and Roman institutions as illustrative material. He calls attention to the well-known fact of the constantly increasing complexity of the law, and adds that "every law appears in fact as a diminution of liberty" ; but he goes on to show in a masterly manner that where the laws are just,